BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

As rescanning documents *will not* correct images, please do not report the images to the Image Problem Mailbox.

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,486	11/01/2001	Manoucher Gueramy	8558-000001	2216

27572 7590 05/28/2004

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER	
ZHOU, TING	

ART UNIT	PAPER NUMBER
2173	

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/002,486	GUERAMY ET AL.	
	Examiner	Art Unit	
	Ting Zhou	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-10 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) 1-10 is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on 01 November 2001 is/are: a)☐ accepted or b)☒ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

BA HUYNH
PRIMARY EXAMINER

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. The applicants' claim of priority over Provisional Application No. 60/245,750, filed on 3 November 2000 has been noted.

Drawings

2. New corrected drawings are required in this application because the labels and reference characters for a majority of the figures are hard to read and understand; the examiner is having a difficult time deciphering the handwritings on the drawings. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 4, 5 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Brown U.S. Patent 5,960,403.

Referring to claim 1, Brown teaches a medical information management system comprising a networked connection to at least one source of medical record information (transmitting data relating to a patient's health condition over the communication network) (column 3, lines 33-38 and 59-63), a main display window (menus and screens can be generated on a main display) (column 11, lines 23-35, column 14, lines 43-45 and further shown in Figures 5 and 10), a first set of navigation buttons associated with the main display window (the plurality of menu buttons the user can choose from), a second set of navigation buttons associated with the main display window and linked to the first set of navigation buttons (for example, after the user chooses one of the plurality of displayed menu buttons, a corresponding sub-menu can be displayed with the plurality of sub-menu buttons), the first and second set of navigation buttons being operative to access the medical records via the networked connection and to selectively display information based on the medical records in the main display window (the selections of the menu and sub-menu buttons allow the users to view medical information provided by the healthcare professional) (column 11, lines 47-63). A similar display system is employed by the clinician data application, which allows the users to use a plurality of sets of buttons to view and analyze particular subsets of the patient's medical data (column 15, lines 9-30 and column 16, lines 28-44).

Referring to claim 4, Brown teaches an expert system plug-in module for controlling the manner in which the first and second set of navigation buttons interact to selectively display information in the main display window (plug-in monitoring devices in communication with the data management unit) (column 4, lines 66-67 through column 5, lines 1-3).

Referring to claim 5, Brown teaches a networked connection to at least one electronic mail server system and wherein selected ones of the first and second set of navigation buttons interface with the mail server system to integrate electronic mail messages with the medical record information (column 3, lines 46-51 and column 15, lines 40-67). This is further shown in Figure 12.

Referring to claim 7, Brown teaches the selected ones of the first and second set of navigation buttons having associated record filtering functionality capable of restricting the content displayed in the main display window (the clinician data application allows the users to use a plurality of sets of buttons to view and analyze particular subsets of the patient's medical data (column 15, lines 9-30 and column 16, lines 28-44).

Referring to claim 8, Brown teach the main display window supports the display of multimedia information (text, graphs, animation, etc.) (column 7, lines 9-15 and further shown in Figure 10).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown U.S. Patent 5,960,403, as applied to claim 1 above, and Dempsey et al. U.S. Patent 6,057,758.

Referring to claim 2, Brown teaches all of the limitations as applied to the claims above. However, while Brown teaches a networked connection between the system and a source of medical information, Brown fails to explicitly teach the networked connection being a wireless connection. Dempsey et al. teach a system for displaying medical information over a network (Dempsey et al.: column 4, lines 40-44) similar to that of Brown. In addition, Dempsey et al. further teach the network connection being a wireless connection (Dempsey et al.: column 3, lines 24-31 and column 5, lines 9-13). It would have been obvious to one of ordinary skill in the art, having the teachings of Brown and Dempsey et al. before him at the time the invention was made, to modify the network used to deliver and display medical information of Brown to include the wireless network taught by Dempsey et al. One would have been motivated to make such a combination in order to allow doctors to be aware of the conditions of patients without having to physically be with the patients; for example, in case of an emergency, a portable handheld display device with a wireless connection to the patient's monitoring devices can notify the doctor of the problem immediately.

Referring to claim 3, Brown teaches all of the limitations as applied to claim 1 above. However, while Brown teaches a handheld device (Brown: reference character "40" in Figure 1A), Brown fails to explicitly teach a handheld display device having touch screen interface and wherein the main display window and the first and second sets of navigation buttons are implemented using the display device. Dempsey et al. teach a system for displaying medical information (Dempsey et al.: column 4, lines 40-44) similar to that of Brown. In addition, Dempsey et al. further teach a handheld display device having touch screen interface and wherein the main display window and sets of buttons are implemented using the display device

(Dempsey et al.: column 7, lines 20-31). It would have been obvious to one of ordinary skill in the art, having the teachings of Brown and Dempsey et al. before him at the time the invention was made, to modify the system for displaying medical information of Brown to include the use of a handheld device display device taught by Dempsey et al. One would have been motivated to make such a combination in order to allow doctors to be aware of the conditions of patients without having to physically be with the patients; for example, in case of an emergency, a portable handheld display device with a wireless connection to the patient's monitoring devices can notify the doctor of the problem immediately.

5. Claims 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Brown U.S. Patent 5,960,403, as applied to claim 1 above, and Myers et al. U.S. Patent 5,832,450.

Referring to claim 6, Brown teaches all of the limitations as applied to claim 1 above. However, Brown fails to explicitly teach a booking system that integrates with the navigation buttons and the main display window. Myers et al. teach a display and navigation system of medical information (Myers et al.: column 4, lines 41-49 and column 5, lines 3-20) similar to that of Brown. In addition, Myers et al. further teach a bookmark system that integrates the navigation buttons and the main display window (the bookmark button allows the users to preserve medical records of selected information for later display of the record) (Myers et al.: column 5, lines 24-27). It would have been obvious to one of ordinary skill in the art, having the teachings of Brown and Myers et al. before him at the time the invention was made, to modify the medical information display system of Brown to include the bookmark function taught by

Myers et al. One would have been motivated to make such a combination in order to allow doctors to quickly and easily access a patient's record in case of an emergency situation.

6. Claims 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brown U.S. Patent 5,960,403, as applied to claim 1 above, and Leiper U.S. Patent 6,128,002.

Referring to claims 9 and 10, Brown teaches all of the limitations as applied to claim 1 above. However, Brown fails to explicitly teach a voice dictation interface. Leiper teaches a system for navigating medical-related information (Leiper: column 2, lines 29-31 and 40-45) similar to that of Brown In addition, Leiper further teaches a wireless voice dictation interface through which the user enters voice dictation for storage and subsequent retrieval (Leiper: column 2, lines 54-62), and the interface communicating with the information management system in response to selected ones of the navigation buttons (upon the actuation of the voice dictation actuator, the voice signals are recorded, interpreted and indexed to image files on the display) (Leiper: column 2, lines 54-62 and column 15, lines 17-24). It would have been obvious to one of ordinary skill in the art, having the teachings of Brown and Leiper before him at the time the invention was made, to modify the medical information display system of Brown to include the voice dictation interface taught by Leiper. One would have been motivated to make such a combination in order to allow users to quickly record information about patients, since speaking is faster than writing notes; also, this would free up the doctor so he can perform an operation while vocally recording the steps he is taking during the procedure.

7. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar medical information navigation and display systems.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 8:00 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

May 24, 2004

BA HUYNH
PRIMARY EXAMINER